



033004

15992 U.S. PTO

Attorney's Docket No.: EVI2034.04A1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

22386 U.S. PTO
10/815049

033004

MAIL STOP PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22213-1450

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of Inventor(s):

SAMUEL DAVID PIPER

For (title):

SHOCK WAVE AEROSOLIZATION METHOD AND APPARATUS

1. Type of Application

(check all applicable)

- ☒ Utility
☐ Design
☐ Plant
☐ Divisional
☒ Continuation
☐ Continuation of PCT designating US
☐ Continuation-in-part (CIP)

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date 3/30/04 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV352303570US addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

John P. O'Banion

(Type or print name of person mailing paper)

(Signature of person mailing paper)

NOTE: Each paper or fee referred to as enclosed herein has the number of the "Express Mail" label placed thereon prior to mailing. 37 CFR 1.10(b).

2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Regular) or 37 CFR 1.153 (Design) Application

31 Pages of specification

11 Pages of claims

1 Pages of Abstract

29 Sheets of drawing

X formal

— informal

— The enclosed drawing(s) include photograph(s), and there is also attached a "PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)." 37 C.F.R. 1.84(b).

3. Additional papers enclosed

X Preliminary Amendment

— Information Disclosure Statement

X Form PTO - sb/08a

X Citations

— Authorization of Attorney(s) to Accept and Follow Instructions from Representative

— Special Comments

— Other (SPECIFY)

4. Declaration Or Oath

X Enclosed

executed by:

X inventor(s)

X Copy from a prior application (37 CFR 1.63(d)) (divisional or continuation only)

— Not Enclosed. Application is made by a person authorized under 37 CFR 1.41(c) on Behalf of all of the above named inventor(s).

(The declaration or oath, along with the surcharge required by 37 CFR 1.16(e) can be filed subsequently).

5. Inventorship Statement

The inventorship for all the claims in this application are:

X The same

or

— Are not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made,

— is submitted.

— will be submitted.

6. Language

X English

— non-English

— the attached translation is a verified translation. 37 CFR 1.52(d).

7. Benefit of Prior U.S. Application(s) (35 U.S.C. 119(e), 120 or 121)

X Applicant(s) hereby claim(s) the benefit of the filing date of the following prior U.S. Application(s):

1. (a) Application History (title as originally filed and as last amended, serial number, and filing date of all prior applications):

Title: SHOCK WAVE AEROSOLIZATION METHOD AND APPARATUS
Ser. No.: 60/235,597
Filed: SEPTEMBER 25, 2000

- (b) Name of applicant(s) (as originally filed and as last amended), and current correspondence address of applicant(s):

Name: SAMUEL DAVID PIPER
Address: 3929 ARDERLY COURT
SACRAMENTO, CA 95826

2. (a) Application History (title as originally filed and as last amended, serial number, and filing date of all prior applications):

Title: SHOCK WAVE AEROSOLIZATION METHOD AND APPARATUS
Ser. No.: 60/305,088
Filed: JULY 12, 2001

- (b) Name of applicant(s) (as originally filed and as last amended), and current correspondence address of applicant(s):

Name: S. DAVID PIPER
Address: 3929 ARDERLY COURT
SACRAMENTO, CA 95826

3. (a) Application History (title as originally filed and as last amended, serial number, and filing date of all prior applications):

Title: SHOCK WAVE AEROSOLIZATION METHOD AND APPARATUS
Ser. No.: 09/963,886
Filed: SEPTEMBER 25, 2001

- (b) Name of applicant(s) (as originally filed and as last amended), and current correspondence address of applicant(s):

Name: S. DAVID PIPER
Address: 3929 ARDERLY COURT
SACRAMENTO, CA 95826

9. Fee Calculation (37 CFR 1.16)

A. ☒ Regular Application

CLAIMS AS FILED							
	Number filed		Number Extra		Rate		Basic Fee \$ 770
Total							
Claims 37 CFR 1.16(c)	27	- 20	=	7	X	\$18 =	126
Independent							
Claims (37 CFR 1.16(b))	6	- 3	=	3	X	\$86 =	258
Multiple dependent claim(s), if any (37 CFR 1.16(d))					+	\$290 =	

- ☒ Amendment canceling extra claims enclosed.
☐ Amendment deleting multiple-dependencies enclosed.
☐ Fee for extra claims is not being paid at this time.

Filing Fee Calculation \$ 1154

- B. ☐ Design application
(\$340.00 - 37 CFR 1.16(f))

Filing Fee Calculation \$ _____

- C. ☐ Plant application
(\$530.00 - 37 CFR 1.16(g))

Filing Fee Calculation \$ _____

10. Small Entity Statement

- ☒ Applicant qualifies as a small entity under 37 CFR 1.9 and 1.27

Filing Fee Calculation (50% of A, B or C above) \$ 577

11. Fee Payment Being Made At This Time

☐ Not Enclosed

☐ No filing fee is to be paid at this time. (This and the surcharge required by 37 CFR 1.16(e) can/will be paid subsequently.)

☒ Enclosed

☒ basic filing fee \$ 577

☐ recording assignment (\$40.00; 37 CFR 1.21(h)) \$ _____

☐ petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached. (\$130.00; 37 CFR 1.47 and 1.17(h)) \$ _____

☐ for processing an application with a specification in a non-English language. (\$130.00; 37 CFR 1.52(d) and 1.17(k)) \$ _____

☐ processing and retention fee (\$130.00; 37 CFR 1.53(d) and 1.21(l)) \$ _____

Total Fees Enclosed \$ 577

12. Method of Payment of Fees

☒ Check in the amount of \$ 577

☐ Charge Account No. _____ in the amount of \$ _____.
A duplicate of this transmittal is attached.

13. Instructions As To Overpayment

☐ credit Account No. _____

☒ refund

14. Incorporation By Reference of Papers Identified Herein

Applicant(s) hereby incorporate(s) by reference all papers which are identified in this New Application Transmittal.

15. Correspondence Address

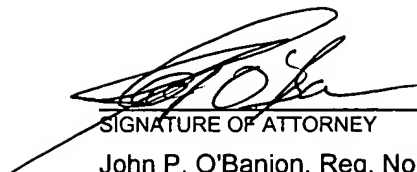
Please use the following correspondence address for all communications:

CUSTOMER NUMBER 8156

**John P. O'Banion, Reg. No. 33,201
O'BANION & RITCHEY LLP
400 Capitol Mall, Suite 1550
Sacramento, CA 95814
(916) 498-1010**

16. Signature of Attorney

Dated: 3/30/04



SIGNATURE OF ATTORNEY

John P. O'Banion, Reg. No. 33,201

CUSTOMER NUMBER 8156

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that the foregoing:

Citation (1)

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JOHN P. O'BANION

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JOHN P. O'BANION

(Type or print name of person mailing paper)

A handwritten signature in dark ink, appearing to read 'J. P. O'Banion', written over a horizontal line.

(Signature of person mailing paper)

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that the foregoing:

U.S. Patent Application

1. Specification (pages 1-31)
2. Claims (pages 32-42)
3. Abstract (page 43)
4. Drawings (sheets 1-29)

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JOHN P. O'BANION

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